

REMARKS

This Request for Reconsideration is filed in response to the Final Action of December 8, 2009 in which claims 1-20 were rejected.

In the response to the previous Office Action of June 30, 2009, independent claim 1 (and claims 8, 15 and 16 accordingly) was amended with the limitation “the at least one outlet is configured to constantly connect the electroconductive metal element to ground.” The intention of this amendment was to differentiate the present invention from the cited references which disclose shielding solutions based on a varistortype (non-ohmic) electrical connection which turns into a conducting state only when a certain threshold voltage is exceeded.

Hong teaches a non-ohmic varistor-type electrical connection in which “a non-ohmic material acts as an insulator below the specific voltage ... and acts as an excellent conductor in voltage more than the specific voltage” (col 3, lines 1-8). Thus *Hong*’s electrical connection is intermittent so that sometimes it is on (conducting state) and sometimes it is off (insulator state) and therefore *Hong* does not teach a constant connection in the sense of the present invention. Also *Sherwood* and *Wu* teach intermittent connection as earlier argued in the previous Office Action.

The Examiner seems to consider the newly claimed limitation of “configured to constantly connect” be unsupported (under Section 112, first paragraph) unclear (under Section 112, second paragraph) and contends that a contact between dissimilar materials (a metal and a semiconductor) will result in a barrier potential because their work functions are different (Section 1 of the Final Action). Further if the limitation means that current is constantly flowing then the Examiner considers it unclear where this constant electrostatic current comes from (Section 2 of the Final Action).

In response to the above the Applicant remarks the following. Contact potentials between dissimilar materials of course exist and they are present in many electrical circuits and connections in some form. However, the skilled person will consider an electrical connection to be constant, i.e. always-on, unless such contact potentials are strong enough to affect functioning of the electrical connection in a

noticeable way. Thus even if an electrical connection is described as “configured to constantly connect,” the skilled person will understand that small contact potentials may be present. In contrast, the skilled person would not consider a varistor-type connection as “configured to constantly connect,” and therefore none of the cited references fall within the scope of claims 1, 8, 15 and 16.

Therefore the limitation of “configured to constantly connect” is supported and clear and it means that a capability to conduct is constantly present. It cannot be taken to mean that current is constantly flowing. According to the present invention the limitation of “configured to constantly connect” does never mean a capability of insulation being present, contrary to the disclosure of the cited documents, e.g. *Hong* in column 4, lines 11-16.

The word “constantly” as such is not mentioned in the description. However, is evident from figures 1-3 and specification (e.g. page 6, lines 1-6) that the (metal) outlet constantly connects the electroconductive metal element to ground. This applies to all embodiments described in the specification (page 7, lines 7-12, and page 8, lines 22-26). Circuit diagrams are an established way of describing electrical connections and the skilled person will interpret a diagram as describing a constant connection, unless it is specifically indicated otherwise in the diagram. Therefore the skilled person would have no difficulty in finding support from and understanding that drawings of the present application unambiguously describe a constant connection.

Withdrawal of the 35 U.S.C. 112 first and second paragraph rejections is requested.

For the same reasons as expressed in the amendment filed October 1, 2009, the novelty rejections should be withdrawn as well.

The objections and rejections of the Office Action of June 30, 2009, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-20 to issue is earnestly solicited.

Respectfully submitted,

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